

Chair Thomas, Vice Chair Swearingen, Ranking Member Synenberg, and members of the House Judiciary Committee, thank you for the opportunity to provide testimony on HB 249. My name is Kinsey. I am a nurse practitioner, but I am also known as drag king Tommy Knockers. I am concerned about this bill as an artist, a community member, and a medical professional. As an artist, I am frustrated that the creators of this bill do not recognize the historical importance of this art form. Under this bill, Shakespeare's plays would have been considered "obscene" and "adult cabaret entertainment" because at the time all of the female roles were played by men or boys in drag, and some, like Twelfth Night, feature plots in which "a gender identity that is different from the performer's or entertainer's gender assigned at birth using clothing, makeup, prosthetics or imitation genitals or breasts, or other physical markers" are present in the text. Like any art form, drag does not inherently feature nudity, rude language, or themes inappropriate for minors. I'd like to take a moment to list some other pieces of media that, under this bill, would need to be experienced in an "adult only" venue: Mrs. Doubtfire, The Lion King, Little Red Riding Hood, Mulan, The Three Stooges, Looney Tunes, and so on.

As a community member, I am confused by the authors' insistence on reviving the failed HB 245 from last year with some minor changes to the wording. I wonder if our tax dollars could be better spent fixing potholes or improving our schools, for example? (I know the time I invested preparing this testimony, and travelling from Cleveland to be here today could have been spent on other things, but here I am). My city has such a vibrant culture of local theaters, film, and arts festivals, and I would hate to see any of that impacted by the vague wording of this bill.

Finally, as a medical professional, I am concerned that this bill will negatively impact the health and wellbeing of my patients. I could give a whole lecture on the medical and social complexities of defining "biological sex," and how that is different than gender identity, but I will save that for another day. Suffice it to say, there are many different medical conditions that can cause differences in external genitalia, hormone production, and organ development that can cause people to present differently

than what we think of as “male” or “female” (broadly referred to as “intersex”). For example: cisgender men who develop breasts, cisgender women who have naturally low voices and can grow facial hair, or someone born with XXY chromosomes. This bill struggles to distill these broad concepts into a few sentences, which leaves a lot of room for confusion, misinterpretation, and ignorance. If we are proclaiming that presenting as “a gender identity that is different from [one’s] gender assigned at birth using clothing, makeup, prosthetics or imitation genitals or breasts, or other physical markers” is inherently “obscene” or “adult,” then we are opening the door to persecuting transgender or gender non-conforming individuals simply for existing in public. This also erases the experiences of children and teens who may experiment with clothing and makeup as part of exploring their own gender identity.

HB 249 is dangerously vague, ill-considered, and threatens the safety of vulnerable members of our community, including the children it claims to protect. Thank you for this opportunity to speak, I am happy to answer any questions.